

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services proposes to amend Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

The purpose of this amendment is to implement the annual update of the maximum Medicaid rate for intermediate care facilities for individuals with intellectual disabilities (ICF/ID). This rate is used to determine the disposition of the income of a medical assistance income trust (MAIT).

The Iowa Department of Human Services provided the maximum charge for care in an ICF/ID. The maximum Medicaid rate for care in an ICF/ID decreased from \$25,922 per month to \$25,040 per month.

The result of this change may be that fewer individuals will qualify for medical assistance with Miller trusts. However, very few, if any, individuals in ICF/IDs will have monthly income between the current and proposed amount.

The average charges for other medical institutions are not addressed in this rule making because those average charges will be increased in a separate rule making (see **ARC 1415C** herein).

Any interested person may make written comments on the proposed amendment on or before April 22, 2014. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

This amendment does not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4.

The following amendment is proposed.

Amend subparagraph **75.24(3)“b”(2)** as follows:

(2) The maximum statewide Medicaid rate for a resident of an intermediate care facility for persons with an intellectual disability is ~~\$25,922~~ \$25,040 per month.